

Atty's Dkt: KUSHMARO1

In re Application of:  
 Ariel KUSHMARO  
 Serial No. 10/527,076  
 IA Filing Date: September 3, 2003  
 For: METHOD FOR ISOLATING AND CULTURING...

) Application Division  
 ) ATTN: PCT  
 ) Washington, D.C.  
 ) Confirmation No. 4743  
 ) Date: January 23, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
 Customer Service Window  
 Randolph Building, Mail Stop Missing Parts  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated September 26, 2005. Attached hereto is/are:

- [XX] Two (2) declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.  
 [XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.  
 [XX] Additional fees as calculated below:

<input type="checkbox"/> Search fee		
<input type="checkbox"/> Examination fee		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
- 20 =		X \$ 50.00
- 3 =		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
<b>SUBTOTAL</b>		\$
Processing fee of \$130.00 for late furnishing of the English translation.		\$
<b>TOTAL NATIONAL FEE</b>		\$

- ☐ Surcharge for late filing of the Declaration was paid on \_\_\_\_\_  
 [XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity  
 Response Filed Within  
☐ First - \$ 60.00  
☒ Second - \$ 225.00  
☐ Third - \$ 510.00  
☐ Fourth - \$ 795.00  
☐ Fifth - \$1,080.00  
 month after time period set

Other Than Small Entity  
 Response Filed Within  
☐ First - \$ 120.00  
☐ Second - \$ 450.00  
☐ Third - \$1,020.00  
☐ Fourth - \$1,590.00  
☐ Fifth - \$2,160.00  
 month after time period set

[XX] Total fees enclosed: \$ 225.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 225.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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28 MAR 2006

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Legal Staff  
International DivisionBROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

Sheridan Neimark  
Registration No. 20,520

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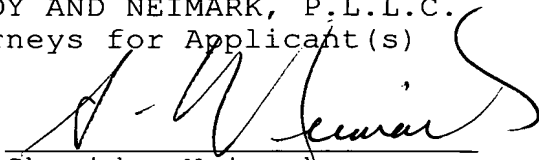
Appln No.: 10/527,  
Response date January 23, 2006  
Reply to Notice to Comply September 26, 2005

If the examiner has any questions or comments concerning the sequence listing in the above described application, the examiner is urged to contact the undersigned at the phone number below.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

  
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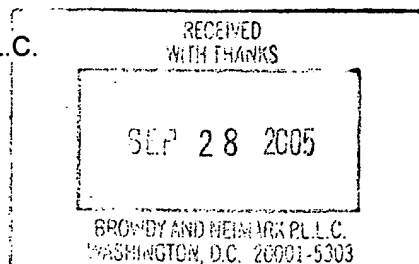


## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,076	Ariel Kushmaro	KUSHMARO1

1444  
 BROWDY AND NEIMARK, P.L.L.C.  
 624 NINTH STREET, NW  
 SUITE 300  
 WASHINGTON, DC 20001-5303



INTERNATIONAL APPLICATION NO.	
PCT/IL03/00725	
I.A. FILING DATE	PRIORITY DATE
09/03/2003	09/09/2002

CONFIRMATION NO. 4743  
 371 FORMALITIES LETTER



\*OC000000017096022\*

Date Mailed: 09/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/09/2005
- Copy of the International Search Report filed on 03/09/2005
- Preliminary Amendments filed on 03/09/2005
- Information Disclosure Statements filed on 03/09/2005
- Biochemical Sequence Listing filed on 03/09/2005
- Request for Immediate Examination filed on 03/09/2005
- U.S. Basic National Fees filed on 03/09/2005
- Priority Documents filed on 03/09/2005

SER = 26ND2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,076	PCT/IL03/00725	KUSHMARO1